

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

FIRST ASSEMBLY OF GOD CHURCH, INC.  
OF LEESVILLE, LOUISIANA

CIVIL ACTION NO. 2:21-cv-00378

VERSUS

JUDGE JAMES D. CAIN, JR.

CHURCH MUTUAL INSURANCE  
COMPANY, S.I.

MAGISTRATE KATHLEEN KAY

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**MEMORANDUM IN SUPPORT OF MOTION FOR RECONSIDERATION**

Defendant, Church Mutual Insurance Company, S.I. ("Church Mutual"), submits this Memorandum in Support of its Motion for Reconsideration of its previously filed Motion to Continue.<sup>1</sup> Church Mutual's Motion for Reconsideration relates to the Court's Order issued on May 13, 2022 denying the Motion to Continue. Church Mutual respectfully requests reconsideration of the Order for the following reasons:

Sidney W. Degan, III, Lead Counsel for Church Mutual, is scheduled to appear in front of this Honorable Court on September 6, 2022 in the above-named case, as well as case no. 2:21-cv-02039, "*First Pentecostal Church of Starks, Louisiana v. Church Mutual Insurance Company*." As stated in Church Mutual's Motion to Continue, allowing the two cases to be scheduled for the same day would provide substantial hardship to Church Mutual. Lead counsel would be required to prepare for two separate cases, which are both substantial. Full attention of Lead Counsel should be on one case at a time.

Courts have granted Motions to Continue for reasons in the interest of justice and fairness.<sup>2</sup> Church Mutual is the named Defendant, and same client of Lead Counsel in both matters scheduled

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<sup>1</sup> See Doc. 20.

<sup>2</sup> See *Smalls v. Glob. Indus., Ltd.*, No. CIV. A. 98-0707, 1999 WL 225444, at \*5 (E.D. La. Apr. 15, 1999).

for the September 6, 2022 trial date. Allowing trial to move forward for both matters would not be equitable to Church Mutual, as it will not know which will go forward until the day of trial. For reasons of fairness and equity, Church Mutual respectfully requests that this Court reconsider its Motion to Continue.

Finally, the trial date of September 6, 2022 was chosen unilaterally without the input of Church Mutual. Church Mutual was not afforded the opportunity to voice its concerns of having two trials for its Lead Counsel in two matters set for the same date. Church Mutual thus respectfully requests this Court to reconsider its Motion to Continue to give Church Mutual an opportunity to participate in the scheduling of its trial.

### **CONCLUSION**

For the foregoing reasons, Church Mutual respectfully requests this Honorable Court reconsider its Motion to Continue trial.

Respectfully submitted,

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COMPANY, S.I.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10<sup>th</sup> day of June, a copy of the foregoing was sent in accordance with the Federal Rules of Civil Procedure to the following counsel of record via electronic mail.

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/s Mandy A. Simon

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